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SUBCOMMITTEE ON ZONING AND FRANCHISES

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

October 22, 2018
Start: 9:34 a.m.
Recess: 10:43 a.m.

HELD AT: Committee Room - City Hall

B E F O R E: STEPHEN T. LEVIN
Chairperson

COUNCIL MEMBERS:

FRANCISCO P. MOYA
COSTA G. CONSTANTINIDES
ANDREW COHEN
BARRY S. GRODENCHIK
RORY I. LANCOUNCIL MEMBERAN
ANTONIO REYNOSO
CARLOS MENCHACA
DONOVAN J. RICHARDS
CARLINA RIVERA
RITCHIE J. TORRES

A P P E A R A N C E S (CONTINUED)

Gary Tarnoff
Partner at Kramer Levin Naftalis and Frankel LLP

Dan Reingold
President and CEO of Riverspring Health and the
Hebrew Home

Valerie Mutterperl
Associate Principal at Perkins Eastman, Project
architect

Jose Lopez
Environmental Project Manager at the Department
Of Parks and Recreation

Will Fisher
Senior Project Manager of Government and
Community Relations at the New York City
Economic Development Corporation, EDC

Alessandro Zamperla
Representing Central Amusement International LLC,
CAI

Dennis Warner
General Manager of Saint Michael's Cemetary

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[gavel]

CHAIRPERSON LEVIN: Good morning

everybody. Welcome to the meeting of the Subcommittee on Zoning and Franchises, I'm Council Member Steve Levin, I'm filling in for Chair Moya this morning. We are joined by Council Members Costa Constantinides, Rory Lancman, Andy Cohen, Donovan Richards and Barry Grodenchik, all are from Queens except for Andy and me. If you are here to testify on projects on our calendar for which we're... hearings are not already closed please fill out a white speaker slip with the Sergeant At Arms and indicate the name of the applicant... application which you wish to testify on, on that slip. We're going to be hearing this morning a number of items. We'll start the hearing with Land Use 253, the Hebrew Home Application for a special permit to allow a long-term care facility to use in our 11 districts in Riverdale in Council Member Cohen's district in the Bronx. The long-term care facility use would facilitate the development of a continuing care retirement community including in total 388 independent living dwelling units for seniors. I'm now open... I now open up the public

1
2 hearing on this application, Council Member Cohen do
3 you want to say a few words?

4 COUNCIL MEMBER COHEN: Thank you Chair
5 Levin, I just wanted to quickly thank the Land Use
6 staff for their very hard work; Raju, Julie, Jeff,
7 Amy, I want to thank you Steve for chairing this and
8 all the members for being here so that we could hear
9 this. I just wanted to thank Dan and his team,
10 Michael and Gary for all the hard work it's taken,
11 and it's taken a lot of hard work to get to this
12 point so I'm, I'm very appreciative. I just want...
13 also want to acknowledge the hard work of Chuck
14 Moerdler at CB 8, the support of my Borough
15 President, Ruben Diaz, Jr. I want to just let
16 everyone know how important I think that the Hebrew
17 Home is to, to Riverdale, that it is synonymous
18 through Riverdale that the work that's done there,
19 they're the beneficiary of Dove funding from the City
20 Council, in support of their nationally renowned
21 elder reviews program, I've been supportive in
22 capital to try to make sure that the Hebrew Home is
23 as safe as possible. So, you're going to hear today
24 about the, the tremendous amount of work that went
25 into incorporating this project into the fabric of

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2 the community to make it look like it belongs there,
3 the tremendous preservation of, of open space, the
4 height limitations and again really the literal
5 blood, sweat and tears that went into getting us to
6 this point. So, I look forward to the hearing and I
7 want to thank you again for chairing it, thank you.

8 CHAIRPERSON LEVIN: Okay, I'm going to
9 now ask the Committee Counsel to swear in the first
10 panel, Gary Tarnoff of Hebrew Home; Dan Reingold of
11 Hebrew Home and Valerie Mutterperl of the Hebrew
12 Home.

13 COMMITTEE COUNCIL LUBIN: Before
14 answering please state your name into the mic with
15 the red light turned on. Do you each swear or affirm
16 that the testimony you're about to give will be the
17 truth, the whole truth and nothing but the truth and
18 that you will answer all questions truthfully?

19 GARY TARNOFF: I do.

20 DAN REINGOLD: I do.

21 VALERIE MUTTERPERL: I do.

22 CHAIRPERSON LEVIN: You can go ahead.

23 GARY TARNOFF: Good morning Chair Levin
24 and Commission... and Council, Council Members. My name
25 is Gary Tarnoff of the Law Firm of Kramer Levin

1
2 Naftalis and Frankel and I'm here today with Dan
3 Reingold to my right who is the President and CEO of
4 Riverspring Health and the Hebrew Home and with
5 Valerie Mutterperl to my left who is with Perkins
6 Eastman, the Project Architect. Dan is going to speak
7 first, who will tell you about Riverspring Health and
8 the Hebrew Home and about the type of long-term care
9 facility that we're planning to build which is called
10 a continuing care retirement community. Then I will
11 describe the proposal and Valerie and other members
12 of the team who are here are available to answer
13 questions. So, let me introduce Dan, Dan Reingold.

14 DAN REINGOLD: Good morning and thank
15 you for this opportunity to testify and to Council
16 Member Cohen I want to extend our great appreciation
17 to you for your leadership in bringing what was a
18 diverse group of people together around this project
19 to support it. The Hebrew Home is... just finished
20 celebrating our 100th anniversary, we were founded in
21 1917 to help find housing for and, and services for
22 aging immigrants coming to this country. We are one
23 of the last remaining nonprofit, long term care
24 facilities in the city of New York due to a variety
25 of factors but we are going to be here for at least

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2 another 100 years and we currently serve on a
3 nonsectarian basis, 18,000 poor New Yorkers through
4 all five boroughs through a variety of programs and
5 services not just the Hebrew Home, nursing home in
6 Riverdale but also through a very wide range of home
7 care services and housing. We have created the and
8 Council Member Cohen alluded to, the Weinberg Center
9 for Elder Justice which is the nation's first shelter
10 for victims of elder abuse residing in the community
11 and we work very closely with the city of New York to
12 serve victims of elder abuse who have nowhere to go.
13 We are developing currently several affordable
14 housing with services for folks in the Bronx on
15 Boston Road and in Arthur Avenue as well as on
16 Johnson Avenue where we have a very low income
17 federally subsidized project and, on our campus,
18 Riverwalk, which is a middle-income senior project.
19 Rivers Edge is going to be New York City's first
20 continuing care retirement community, these programs
21 exist everywhere else in the United States but
22 because New York City did not have the zoning for it
23 we... they couldn't be built in New York. When the ZQA
24 was passed zoning was permittable... permissible for a
25 CCRC and this will be the first one. We've already

1
2 gone through approvals by the New York State
3 Department of Health and the New York State
4 Department of Financial Services both of which
5 oversee this on a regulatory basis and both of whom
6 unanimously approved the project in March. I just
7 want to point out that this... that the... that this
8 project is not a real estate project, people who move
9 into a CCRC pay a onetime refundable entrance fee and
10 then pay a monthly fee which covers not only their
11 living but most importantly provides them with long
12 term care for the rest of their lives. So, this life
13 care contract prevents people from having to go onto
14 Medicaid and from having the government pick up the
15 costs of their long-term care. When they leave the
16 facility or, or, or die their estate or they will get
17 a refundable part of that contract approximately,
18 approximately 90 percent of that fee, of that
19 entrance fee will be returned. That is the basic
20 fundamental model, it is an insurance product which
21 provides guaranteed life care and I, I want to point
22 out that, that one cannot be asked to leave Rivers
23 Edge if they become financially unable to pay monthly
24 costs that's part of the review process of the New
25

1
2 York State Department of Financial Services. Thank
3 you.

4 GARY TARNOFF: This application for a
5 special permit will facilitate the development of a
6 long-term care facility on the Hebrew Home's 32-acre
7 campus at 5701 to 5961 Palisade Avenue in the
8 Riverdale section of the Bronx. The site is split
9 between an R4 district and an R1-1 zoning district
10 and the special permit is required to allow this use
11 in the R1-1 district. The long-term care facility use
12 is as of right in the R4 portion of the site. Let me
13 just add one thing to what Dan said is... that is that
14 the State Department of Health and the New York State
15 Department of Financial Services have already
16 approved the proposed CCRC at this site. Next slide.
17 In the surrounding area around the home's campus
18 which is so... shown on the PowerPoint that you have...
19 let me have this so I have... catch the numbers...

20 [cross-talk]

21 DAN REINGOLD: Sorry... [cross-talk]

22 GARY TARNOFF: On slide number six. There
23 are a number of institutions including the College of
24 Mount Saint Vincent to the North, the High Ridge
25 Nursing Home, the Salanter Akiba Riverdale Academy,

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 the Riverdale YMHA and the Cardinal O'Connor Clergy
3 Residence within a 600-foot radius of the site
4 including the Hebrew Home and not including the
5 Hudson River institutional uses occupied more than 60
6 percent of the lot area. The immediate areas to the
7 south, to the east and to the northeast of the site
8 feature mostly one... single family houses and two-
9 family houses and the sky view on the Hudson
10 development to the east which comprises three 20
11 story residential towers and 1,300 residential units
12 at the top of the hill. The R4 zoning district is
13 mapped over the home's north campus which allows
14 residential... I'm sorry, which allows residential use
15 at a floor ratio of .75. This 8.4 acre... 18.4-acre
16 north campus was acquired by the Hebrew Home in 1948
17 and includes nine buildings that provide independent
18 living for seniors, skilled nursing and assisted
19 living. The south campus, which you could see on, on
20 your slide seven was acquired by the Home in 2011
21 from the Passionist Fathers of Riverdale. It contains
22 a number of small buildings and one vacant, four
23 story, 54,000 square foot retreat house with 91 rooms
24 and a steeple approximately 67 feet above the front
25 yard line. This building would be demolished in

SUBCOMMITTEE ON ZONING AND FRANCHISES

1
2 connection with the Home's proposal. The proposed
3 development would be a continuing care retirement
4 community, the first in the city since the use was
5 defined by the zoning for quality and affordability
6 text that was adopted by this council, I think in
7 2014. A COMMITTEE COUNCIL LUBINRC is required to be
8 licensed by the state Department of Health and the
9 state Department of Financial Services which has
10 happened for this site. To qualify for this special
11 permit, the CCRC must offer a contract with long term
12 care services and housing for independent living with
13 residential services. The CCRC must also have fewer
14 independent living units than the number of assisted
15 living and nursing home units. Turn to the next
16 slide. The Hebrew Home intends to demolish the
17 existing Goldfine Building on its north campus which
18 had 122 skilled nursing beds. When this application
19 was originally certified, in its place the, the Home
20 proposed three buildings on a one-story base, three
21 wings containing 388 independent living units. The
22 northern most wing would have been a 12-story
23 building on the north campus with 271 units which was
24 permitted as of right and below grade parking. The
25 other two wings were located on the south campus

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 within the R1-1 which is the subject of this special
3 permit and those would have contained 117 units in a
4 six story and a four-story wing. As a result of, of
5 the ULURP process and consultations with Council
6 Member, Borough President and others and the Borough,
7 Borough President supported it we've met with our
8 neighbors and community groups including the
9 Riverdale Nature Preservancy, the Riverdale Community
10 Coalition, the Skyview and the Skyview owners and
11 entered into a memorandum of understanding and the...
12 and the proposed restrictive declaration to alter the
13 project to make it more acceptable to the surrounding
14 community. those changes have been incorporated in
15 the MOU, the ones that are relevant to land use
16 action have been incorporated in modifications to the
17 application which is the application that was
18 approved by the City Planning Commissioner. We agreed
19 that the building on the north campus would be no
20 taller than the Resnick Pavilion which is the
21 existing tallest building on the campus and as a
22 result... and, and to take stories off the buildings on
23 the south campus. So, the building on the north
24 campus is now 11 stories instead of 12, now its two
25 less units, the buildings on the south campus are now

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 five stories instead of six and three stories instead
3 of four. The total number of units has been reduced
4 from 388 to 386. Council staff has asked us to make
5 additional modifications to the plans to confirm what
6 we've agreed to in the restricted declaration and
7 that is that all of the open space on the south
8 campus will be in perpetuity, maintained as open... as
9 open space and that will now be incorporated into the
10 plans that we've produced. If you go to the next
11 slide you'll see the relationship of the Skyview
12 Towers to the Hebrew Home, proposed building on the
13 north campus which is really below the base of..
14 because the topography is below the base of Skyview
15 at 122 feet and the next slide I think shows this..
16 it's base could have gone over and the following one
17 is the changes that we proposed as part of this MOU.
18 Let me just briefly go through them. As I said we
19 reduced the height of the three wings of the
20 building, we increased the number of trees, we agreed
21 to maintain the open space on the south campus in
22 perpetuity, we will provide pedestrian access to the
23 green way with... if and when that gets built, we agree
24 to provide mechanical screening and green roofs and
25 to establish a community advisory committee to help..

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 address design, construction and post construction
3 operation. The next slide shows the open space on, on
4 the right that will be... will... the left shows the
5 existing, the lower part shows the open space in the
6 R1-1 district below the line that will be maintained
7 in perpetuity. This is an exciting project for the
8 Hebrew Home, we ask for your support and we're
9 available to answer questions. Thank you.

10 COUNCIL MEMBER COHEN: Thank you very
11 much, you did cover a lot of what I was going to ask.
12 Could you talk about what you believe will be the
13 impact on traffic and... on Palisade and...

14 GARY TARNOFF: Well it's a good
15 questions, we have our environmental consultant, we,
16 we, we haven't done a trip jet... a trip generation
17 study as to what kind of traffic would result of this
18 and this... part of this project we're reducing the
19 number of nursing home beds on the, the, the campus
20 from 879 to 607 and that includes... that is a...
21 involves a substantial number of, of, of staff and
22 the reduction in nursing home beds will reduce... will,
23 will result in a decrease in people using Palisade
24 Avenue. Also, I think we show no significant impact
25

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 at all, minimal impact in traffic because of the
3 change in, in the configuration of the campus.

4 COUNCIL MEMBER COHEN: The, the CCRC is...
5 as, as Dan pointed out is really sort of a... an
6 insurance product or mostly an insurance product, how
7 old do you have to be to move into the... to the
8 facility?

9 DAN REINGOLD: Under the State Code this
10 is for people 62 years of age and older, the... in
11 reality the, the group that will be looking at this
12 will be probably between 80 and 85. Usually with a
13 spouse and one of the benefits of this kind of a
14 model is that people can move in and their care is
15 provided for the rest of their lives so that if one
16 spouse has for example Alzheimer's disease or has had
17 a stroke they can continue to get the long term care
18 they need while the other person can receive... can be
19 living independently on the same campus and in a
20 connected facility. The requirement of a... of a CCRC
21 by state code is that it must have as part of its
22 operation a nursing home and assisted living. One of
23 the reasons that the New York State Department of
24 Health likes this project is because we have existing
25 nursing home beds and we do not have to add anymore

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 nursing home beds to what is already an over bedded
3 community.

4 COUNCIL MEMBER COHEN: What do you think
5 in terms of people... at any given time what will be
6 the net effect on the population of the campus after
7 this facility is built out?

8 DAN REINGOLD: I'm, I'm not sure... [cross-
9 talk]

10 COUNCIL MEMBER COHEN: Between... [cross-
11 talk]

12 DAN REINGOLD: In terms of... [cross-talk]

13 COUNCIL MEMBER COHEN: ...your... between
14 your... I know you... like you said you're removing
15 nursing home beds do you think that there will be
16 more people on a given day residing on the campus,
17 more people or less people than there are now?

18 DAN REINGOLD: Oh, the, the, the net
19 number will not I don't believe increase, I think...
20 I'm trying to do the, the math in my head but we're
21 going from 807... 800 and... ultimately, we were 875
22 nursing home beds, we will end up at 600 and... [cross-
23 talk]

24 GARY TARNOFF: 607...

25 DAN REINGOLD: 607... [cross-talk]

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 GARY TARNOFF: ...but we're also... [cross-
3 talk]

4 DAN REINGOLD: ...but we're... [cross-talk]

5 GARY TARNOFF: ...changing... [cross-talk]

6 DAN REINGOLD: Yes... [cross-talk]

7 GARY TARNOFF: ...30... we're adding 70
8 assisted living... [cross-talk]

9 DAN REINGOLD: Right, so, so we're adding
10 70 assisted living units and then we'll be adding
11 the... on the north campus 270 independent living and
12 116 on the south so there will probably be a very
13 modest increase in the total population of people
14 being served but there will be a significant
15 reduction in the amount of staff needed to serve
16 those people which is where the traffic comes in.

17 COUNCIL MEMBER COHEN: You, your
18 population will obviously be, be net healthier
19 because you'll have a lot of people living in...
20 [cross-talk]

21 DAN REINGOLD: That's right, the
22 independent living folks will be healthier until such
23 time as their... as their needs change.

24 COUNCIL MEMBER COHEN: Could you just
25 talk about what you think the impact of construction

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 is going to be on the community and how that's going
3 to be done in a way that will try to minimize the
4 impact?

5 DAN REINGOLD: But... well two things, one
6 is we've built four buildings on the campus in my
7 tenure and we've never had any complaints from the
8 community in doing so, we're always very mindful
9 about the community.. [cross-talk]

10 COUNCIL MEMBER COHEN: You'll have
11 complaints this time I can guarantee...

12 DAN REINGOLD: Well... [cross-talk]

13 COUNCIL MEMBER COHEN: And... [cross-talk]

14 DAN REINGOLD: No, we... and part of the
15 memorandum of understanding is that we've agreed to a
16 community advisory board that will work with us to be
17 sure that, that the, the construction does not
18 interfere with people's quality of life. One, one of
19 those things is that we've agreed that there will be
20 no construction vehicles idling on the streets,
21 they'll have to be on campus number one, number two
22 we've also agreed that we will not park construction
23 worker cars on our campus but we will find a suitable
24 location off campus and run a shuttle service so as

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 to minimize the number of vehicles coming on and off
3 those country roads.

4 GARY TARNOFF: And that's a restrictive
5 covenant that the Planning Commission has asked us to
6 put on the property.

7 COUNCIL MEMBER COHEN: Okay. Could you...
8 could you... just one more time, I know you, you, you
9 talked about it in your... in your statement just the
10 detail... a little bit of the details of the
11 restrictive declaration and MOU just for everybody
12 here because that was also a very hard thought and
13 you guys really went above and beyond to try to get
14 there so I think it's worth just belaboring it just a
15 little bit so that everybody knows?

16 DAN REINGOLD: I'll, I'll defer to Gary
17 in a minute, I just want to point out that from the
18 very beginning Council Member Cohen you have been
19 very protective of the open space in our community
20 and the Hebrew Home was perfectly willing to agree
21 early on to a significant open space commitment which
22 from the very beginning my... in my experience as the
23 CEO of the organization and having been there for 28
24 years, one of the things that I knew to be true was
25 that our community really wanted to be sure that

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 there was open space as, as did we and so going into
3 this design open space was a priority, you in your
4 role as, as our Council Member were instrumental in
5 assuring that this would be preserved legally and
6 therefore we entered into a restrictive declaration
7 which Gary can mention. I just want to point out that
8 when this is done 90 percent of the south campus will
9 be permanent open space...

10 GARY TARNOFF: That's 16 acres, 90
11 percent of this... [cross-talk]

12 DAN REINGOLD: That's 14 acres, yes.

13 GARY TARNOFF: Right, so you know the
14 Home acquired this... the south campus in 2011 and
15 we've had numerous meetings with people in the
16 surrounding area and the communities, gone through
17 many, many different designs, made design changes,
18 had more of the building... more of the campus on the...
19 more of the buildings on the south campus, moved them
20 to the north campus so we could get as much open
21 space as, as possible and then during the ULURP
22 process this, this engagement ramped up and we
23 started meeting even more with again the Riverdale
24 Nature Preservancy, the River, Riverdale Community
25 Coalition, the Sigma Place Association, Skyview and

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 when, you know we hammered out each individual
3 position to go through what the MOU would be... would
4 require and it's fairly extensive and detailed and it
5 has a restrictive declaration against... that will be
6 recorded that's enforceable by, by people who live in
7 the surrounding area in addition to whatever the
8 Planning Commission does providing for open space and
9 providing.. and limiting any kind of a change and it
10 deals with, with, with trees, it deals with all of
11 the things that we mentioned before in addition to
12 the open space and it establishes the community
13 advisory committee, it calls for green roofs and, and
14 mechanical screening, it, it calls for the reduction
15 in the size of the buildings as we've done and we've
16 actually implemental of this by putting it into our
17 land use application which is ultimately approved by
18 the Planning Commission.

19 COUNCIL MEMBER COHEN: Thank you Gary, I
20 know my colleagues are sitting on their edge of their
21 seats learning about this project, so I'll wrap it up
22 but I, I just want to say that what my colleagues did
23 not see is the.. I don't know how many iterations of
24 this project... like it really... you really showed a
25 tremendous amount of flexibility and responsiveness

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 to community concerns, what, what folks are voting on
3 today... or not voting on but hearing today, will
4 ultimately vote on is not... it's a long... you know many
5 miles traveled to get here, the project looked very
6 different when it was originally conceived, it was a
7 lot higher on the south campus, the bulk has really
8 been shifted to the... to the R4 campus so it really is
9 the reflection like you said that started in 2011 but
10 really the reflection of a tremendous amount of hard
11 work and really like I said partnership and
12 responsiveness to community concerns so I said this
13 in my opening but I really am very, very pleased that
14 we got here and I look forward to ultimately, you
15 know at the... I guess the next hearing this will be...
16 there will be a vote and ultimately at a vote before
17 the full council in supporting the project so thank
18 you.

19 CHAIRPERSON LEVIN: Thank you Council

20 Member Cohen. I just had one question just about the,
21 the framework for the continuing care retirement
22 community or life planning community, if somebody... as
23 you mentioned in the... in the... in the declaration if,
24 if somebody has a... is not able to, to pay the monthly
25 cost what then happens to their tenancy?

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 DAN REINGOLD: We... under the regulations
3 by the New York State Department of Financial
4 Services they may not be evicted for non-payment,
5 the, the way that this... the financial model works is
6 that there are actuarial studies that have to be
7 performed to the satisfaction of DFS to show that the
8 financial and economic model is a sustainable one and
9 that will involve that, you know people have...
10 hopefully have enough assets to, to make the initial
11 entrance fee. The Hebrew Home as a nonprofit
12 organization will develop what I'm loosely calling a
13 scholarship fund in the event that people too... for
14 various reasons run out of assets or can't maintain
15 the, the monthly payment and, and, and in addition we
16 are a Medicaid and Medicare certified facility so
17 folks that do end up depleting their assets can be
18 made eligible for those government programs which we
19 provide to 99 percent of the people we serve.

20 CHAIRPERSON LEVIN: So, people can, can
21 be receiving Medicaid and Medicare and that can, can
22 contribute to that... the, the monthly fees?

23 DAN REINGOLD: Well they... it would be in
24 lieu of the, the... if people are paying the monthly
25 fees one of the beauties of this program and one of

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 the reasons the state likes it is because it keeps
3 people off Medicaid but if for some reason somebody's
4 finances took a downturn... [cross-talk]

5 CHAIRPERSON LEVIN: Go onto Medicaid
6 while they're there.

7 DAN REINGOLD: Can get them onto
8 Medicaid, yes...

9 CHAIRPERSON LEVIN: Okay and that... and
10 then... and they won't be evicted, or they cannot be
11 evicted... [cross-talk]

12 DAN REINGOLD: That is correct... [cross-
13 talk]

14 CHAIRPERSON LEVIN: ...according to the
15 regulations with DFS?

16 DAN REINGOLD: That is correct and also
17 our board of directors would not do that, that's a
18 commitment that they've made as part of our nonprofit
19 mission.

20 CHAIRPERSON LEVIN: Okay. Alright, thank
21 you.

22 DAN REINGOLD: Thank you.

23 CHAIRPERSON LEVIN: Do any other members
24 have questions for this panel? Okay, seeing none,
25 thank you very much. Oh, Council Member Richards.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 COUNCIL MEMBER RICHARDS: So, there will
3 be job opportunities, can you speak a little bit
4 about what your strategy is around ensuring the local
5 community is aware of opportunities at this site, are
6 you working with Workforce One or any workforce
7 partners on this project?

8 DAN REINGOLD: Yeah, we're, we're going
9 to be... this is a new project... this, this model
10 doesn't exist in New York City right now and we're
11 very excited to continue to build on our partnerships
12 with 1199, with area high schools, we have a program
13 Councilman at, at our area high schools called
14 Project Hope, this is a program that takes high
15 school students, they actually go to high school on
16 our campus and they're nurtured and mentored by our
17 residents to grow a workforce to serve the elderly.
18 We are woefully understaffed in this city. There was
19 an article I think today in Cranes about the home
20 care situation, we are woefully understaffed for what
21 is becoming a booming growth of seniors and so we're
22 working in very creative ways to develop new job
23 opportunities for young people, there's a need to do
24 that and we're excited to create new opportunities in
25 that area.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 COUNCIL MEMBER RICHARDS: Alright, I
3 would just suggest probably partnering with Council
4 Member Cohen to make sure you find, outside of 1199
5 and I'm very happy they're on this project but also
6 ensuring that you work with finding some local
7 workforce partners you can specifically work... [cross-
8 talk]

9 DAN REINGOLD: It would be to our benefit
10 to do that again because of the... because of the
11 staffing shortages at all health care facilities
12 we're facing, this is a great opportunity to find
13 young people who want to get into this field and I
14 look forward to working with the Council Member...
15 [cross-talk]

16 COUNCIL MEMBER RICHARDS: Uh-huh... [cross-
17 talk]

18 DAN REINGOLD: ...not only in our
19 neighborhood but also outside of our neighborhood to
20 attract and recruit people to come into this field.

21 COUNCIL MEMBER RICHARDS: And is there an
22 MBE goal as well?

23 DAN REINGOLD: Yes.

24 COUNCIL MEMBER RICHARDS: Okay, what is
25 your percentage?

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 DAN REINGOLD: I don't have that, I, I
3 don't know off hand, but we are very committed to
4 that... [cross-talk]

5 COUNCIL MEMBER RICHARDS: Okay... [cross-
6 talk]

7 DAN REINGOLD: ...have been over the years...
8 [cross-talk]

9 COUNCIL MEMBER RICHARDS: So, it will
10 proceed 30 percent?

11 DAN REINGOLD: Oh, I would think so.

12 COUNCIL MEMBER RICHARDS: Okay... [cross-
13 talk]

14 DAN REINGOLD: I would think so.

15 COUNCIL MEMBER RICHARDS: Alright.

16 DAN REINGOLD: Yeah.

17 COUNCIL MEMBER RICHARDS: Alrighty, so I
18 look forward to hearing more about that as we move
19 forward on this.

20 DAN REINGOLD: Great.

21 COUNCIL MEMBER RICHARDS: Thank you.

22 CHAIRPERSON LEVIN: Are there any members
23 of the public who wish to testify on this item? Okay,
24 seeing none I will now close the public hearing on
25 this application and it will be laid over.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 DAN REINGOLD: Thank you very much.

3 GARY TARNOFF: Thank you.

4 DAN REINGOLD: Thank you.

5 CHAIRPERSON LEVIN: Okay.

6 COUNCIL MEMBER COHEN: Thank you.

7 CHAIRPERSON LEVIN: Today we will be
8 hearing a number of items we previously held hearings
9 on, we will be voting, excuse me, we will be voting
10 on a number of items that we've previously held
11 hearings on. However, Land Use Numbers 209 through
12 213, the Jackson Avenue rezoning applications will be
13 laid over. We will vote to approve preconsidered Land
14 Use Numbers 246 and 247, the 11 through 14 35th
15 Avenue rezoning for properties in Council Member Van
16 Bramer's district in Queens. The actions are a
17 rezoning from an R5 zoning district to an R6A zoning
18 district with a commercial overlay and a zoning text
19 amendment to apply MIH options one and two to the
20 rezoning area. Approvals will facilitate the
21 development of an eight-story mixed use building with
22 approximately 74 dwelling units of which 22 units
23 will be affordable under MIH. The applicant has
24 selected MIH option two but is committed to reaching
25 deeper affordability than is required by that option.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 Council Member Van Bramer is in support of this
3 application. We will be voting to modify
4 Preconsidered Land Use Numbers 244 and 245, the
5 Variety Boys and Girls rezoning... Boys and Girls Club
6 rezoning for property, property in Council Member
7 Constantinides' district in Queens. These are
8 applications for a zoning map change from R7A and R6B
9 to R7X and a zoning text amendment to apply MIH
10 option two to the rezoning area. These actions would
11 facilitate the development of a new residential
12 building and a community facility which would include
13 approximately 112 units of which 34 would be
14 affordable under MIH option two. The community
15 facility building would front on 30th Road and a
16 house... and house a new space for a Variety Boys and
17 Girls Club including a new swimming pool and
18 basketball court. Our modification will be to add MIH
19 option one to the zoning text amendment since the
20 rezoning area is larger than just the development
21 site. Council Member Constantinides is in support of
22 this application and he is across the street right
23 now chairing an Environmental Protection hearing
24 otherwise he'd be here to speak. We will vote to, to
25 modify Preconsidered Land Use Numbers 248 and 249,

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 the 3901 9th Avenue rezoning for property in Council
3 Member Menchaca's district in Brooklyn. The actions
4 are a rezoning from M1-2 to R7A/C2-4 and a related
5 zoning text amendment to establish a mandatory
6 inclusionary housing area on the rezoning area with
7 an MIH option one and two. These actions would
8 facilitate the development of a six-story mixed use
9 building with ground floor commercial space and
10 approximately 40 housing units. Our modification will
11 be to remove option two and I believe Council Member
12 Menchaca would like to speak on this item.

13 COUNCIL MEMBER MENCHACA: Thank you Chair
14 and I want to start by saying, you know I realize
15 that this application as small as it is it has a big..
16 a big impact for, for me as a Council Member second
17 term, this is the first time I'm, I'm in support of,
18 of and approving the change of manufacturing to
19 residential so this is a big moment for me. It wasn't
20 easy to be honest, but we had some really great
21 clients, we had a great team and we worked through it
22 and it made sense. So, I can bend but not break, I
23 will bend. This, this application is really exciting
24 for a lot of different reasons. We're striking the
25 second option, we're, we're really focused on deep

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 affordability here, I really encourage you all to say
3 yes. We've had a lot of resiliency, some DOT work and
4 a community advisory board component that allows for
5 feedback to come from the client and the developer to
6 bring back constant conversation and, and dialogue
7 with the community board and the community at large.
8 I'm really excited about this but I will say this,
9 that like so many things that we're improving what
10 we're doing right now is setting, setting everything
11 up for success, we won't know that we've reached
12 success until we sit and look at the building and see
13 that the affordability has been met, that the ground
14 commercial floor of a supermarket and all the
15 improvements for a vision zero sidewalk happen. So,
16 this is the beginning of the middle as we get towards
17 the end and I look forward to working with them. I
18 encourage you all to say yes.

19 CHAIRPERSON LEVIN: Thank you very much
20 Council Member Menchaca, congratulations. Our next
21 vote is on Land Use Numbers 214 and 215, the 110th
22 East 16th Street special permit applications for
23 property in Council Member Rivera's district in
24 Manhattan. The application seeks two zoning special
25 permits to develop a new 21 story mixed use

SUBCOMMITTEE ON ZONING AND FRANCHISES

1
2 development on property that is part of a larger
3 zoning lot including properties occupied by an
4 individual landmark and a theatrical school founded
5 by the noted acting teacher Lee Strasberg in 1969 to
6 teach and promote the techniques of method acting.
7 The proposed new building would use floor area
8 generated by these two properties and the funds
9 received by these institutions would enhance their
10 preservation and growth. The first special permit
11 pursuant to section 74-711 would modify height and
12 set back requirements to modify the street wall
13 requirements and to increase the base height from 85
14 feet to 230 feet and the maximum building height from
15 120 feet to 283 feet. It would also waive side yard,
16 open space requirements and decrease the minimum
17 distance between buildings. The second special permit
18 is to allow for an automated parking facility with a
19 maximum capacity of 23 accessory parking spaces. We
20 will vote to approve the bulk special permit, but we
21 will be modifying the application for the automated
22 parking garage to reduce its capacity from 23 to 18
23 in the... in this transient rich neighborhood of Union
24 Square and I want to turn it over to Council Member
25 Carlina Rivera for her remarks.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 COUNCIL MEMBER RIVERA: Thank you Mr.

3 Chair for permitting me to speak on these Land Use

4 Items in my district. The site in question is 110

5 East 16th Street which is located just east of Union

6 Square. The area is known for a diverse mix of

7 buildings of various size and use some of which date

8 back to the 19th century. This application recognizes

9 this unique architecture and commits to some

10 preservation while constructing a new building that I

11 believe aesthetically works within the context of the

12 neighborhood. This Land Use action results in the

13 improvement of a landmarked building on East 15th

14 Street as well as an infusion of capital by way of a

15 development rights purchase for the adjacent Lee

16 Strasberg Theatre and Film Institute an iconic

17 cultural institution operating for decades in my

18 district. The application also involves a special

19 permit to include 18 parking spaces, a dramatic

20 change from the 196 spaces that occupy the garage

21 that is slated for demolition. This reduction will

22 clear congestion and traffic that affect these

23 residential side streets and create a block with

24 lovely landscaping. Throughout negotiations we faced

25 a challenge with this development which seeks to

SUBCOMMITTEE ON ZONING AND FRANCHISES

1
2 increase bulk and height in this context without the
3 application of MIH. As I expressed in a letter to the
4 Department of City Planning CPC must clarify its
5 policy on why MIH does not apply in instances like
6 this project. My community board's Borough President
7 and neighborhood leaders find it inconceivable that
8 projects like this which increase bulk substantially
9 do not create affordability as a matter of course.
10 Regardless of that fact, our team worked with the
11 developer to guarantee an investment in up to 86
12 units of affordable housing in the surrounding
13 neighborhood, a 91 percent reduction in parking
14 compared to what currently exists on this site,
15 community facility space in the ground floor retail
16 and commitments to restore landmarked buildings
17 adjacent to this site. I want to thank the council's
18 Land Use Division as well as my team including my
19 Chief of Staff, Pedro Carrillo. What was important to
20 me and my community partners was that we had a
21 project that considered our local priorities and I
22 think we achieved that. Taking care of our landmarks,
23 traffic mitigation and affordable housing are our
24 main concerns and so even with an investment in
25 dozens of new units of affordable housing in my

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 district I do want to reiterate my concerns regarding
3 the lack of MIH application to this development and
4 hope for clarity from CPC going forward. With all
5 that I do ask my colleagues to vote yes on this
6 project and thank you Mr. Chair again for the
7 opportunity to speak.

8 CHAIRPERSON LEVIN: Thank you very much
9 Council Member Rivera, I want to commend you on the...
10 on the hard work that you put into this application.
11 Next, we'll be voting to modify Land Use Numbers 235
12 through 237, the 69-02 Queens Boulevard rezoning for
13 property in Council Member Holden's district in
14 Queens. The applicant seeks a rezoning map amendment
15 to change the rezoning, rezoning area from M1-1 to an
16 R7X with a C2-3 commercial overlay and a zoning text
17 amendment which would apply MIH option two to the
18 rezoning area. The applicant also seeks a quote,
19 "general large-scale permit", close quote pursuant to
20 ZR Section 74-743 to modify regulations regarding
21 maximum building height and number of stories. These
22 actions would facilitate the development of two mixed
23 residential and commercial buildings with 14 and 17
24 stories and approximately 561 dwelling units of which
25 approximately 169 would be affordable. I'm going to

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 turn it over to Council Member Holden to explain the
3 modifications.

4 COUNCIL MEMBER HOLDEN: Yeah, so and
5 that... and that presented a problem just the, the size
6 of the, the buildings and also the, the number of
7 units for that particular area which is about at
8 least .7 miles from any subway stop and most of it
9 uphill, so I had concerns. Also, we're down... we were...
10 we actually need 5,000 more school seats in that
11 district, district 24 so in, in a long process of
12 negotiations back and forth and I appreciate that the
13 developers put so much effort we were able to do
14 something that's... I, I was told is almost impossible
15 and during ULURP and mid, mid-stream we got a
16 commitment for a 476 seat, seat K to five school put
17 into the complex. Also I was concerned about the
18 number of units that were one or... studio or one
19 bedroom which a family should not live... a family of
20 four should not live in a one bedroom so I got a
21 commitment of more two bedrooms and I actually wanted
22 three but we couldn't get there but I, I... you know
23 I'm happy with the number of two bedrooms that were
24 added. Also we're able to take two stories off each
25 building and although it still will be larger than

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 the surrounding buildings, I think the tallest
3 building in the area is about 11 stories I am happy
4 to report that we were able to get the school and
5 that does help and I'm still looking for more sites
6 because we need many more, it abuts Francisco..
7 Councilman Moya's district and also Jimmy Van
8 Bramer's district so I, I, I consulted with them so
9 I'm, I'm happy at this point to support the project.
10 We made tremendous progress especially with the
11 school and I'm happy that the Land Use Division was
12 working with us and I know I gave them a hard time
13 but... and I, I apologize but we did come to some kind
14 of agreement just about 20 minutes ago so, thank you.
15 Thank you Chair, thank you.

16 CHAIRPERSON LEVIN: Thank you Council
17 Member Holden, congratulations, is this your first
18 large land use project to be voting on?

19 COUNCIL MEMBER HOLDEN: Yes, but it won't
20 be my last I think so... [cross-talk]

21 CHAIRPERSON LEVIN: I'm sorry, I'm... my
22 condolences on that... [cross-talk]

23 COUNCIL MEMBER HOLDEN: It is my first,
24 yes, so I got... I got baptized, thank you.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 CHAIRPERSON LEVIN: So, I'll now call a
3 vote... congratulations. I will now call a vote in
4 accordance with the recommendations of the local
5 council members to approve Land Use Numbers 246 and
6 247 to approve with modifications... with the
7 modifications that I have... that have been described.
8 Land Use Numbers 244, 245, 248, 249, 214, and... 215
9 and 235 through 237. Counsel please call the role.

10 COMMITTEE COUNCIL LUBIN: All items are
11 coupled for a single vote, Lancman?

12 COUNCIL MEMBER LANCOUNCIL MEMBERAN: [off
13 mic] Aye.

14 COMMITTEE COUNCIL LUBIN: Levin?

15 CHAIRPERSON LEVIN: Aye on all.

16 COMMITTEE COUNCIL LUBIN: Reynoso?

17 COUNCIL MEMBER REYNOSO: [off mic] I vote
18 aye on all.

19 COMMITTEE COUNCIL LUBIN: Richards?

20 COUNCIL MEMBER RICHARDS: Aye.

21 COMMITTEE COUNCIL LUBIN: Rivera?

22 COUNCIL MEMBER RIVERA: With
23 congratulations to my colleagues, aye on all.

24 CHAIRPERSON LEVIN: You're noted.
25

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 COMMITTEE COUNCIL LUBIN: Grodenchik? The
3 Land Use Items are approved by a vote of six in the
4 affirmative, no negatives and no abstentions and
5 we'll leave the vote open.

6 CHAIRPERSON LEVIN: We're going to take a
7 five-minute recess and reconvene at 10:50. Okay, we
8 are back and I'm going to call the vote on all of the
9 Land Use Items previously referred to. I'll turn it
10 over to Counsel of the Committee.

11 COMMITTEE COUNCIL LUBIN: Continued vote
12 on Land Use Items 246, 247, 214, 215, 248, 249, 244
13 and 245; Constantinides?

14 COUNCIL MEMBER CONSTANTINIDES: I vote
15 aye.

16 COMMITTEE COUNCIL LUBIN: The Land Use
17 Items are approved and referred to the full Land Use
18 Committee.

19 CHAIRPERSON LEVIN: Okay, so we are going
20 to now have the hearing on... pardon me...

21 [off mic dialogue]

22 CHAIRPERSON LEVIN: Hearing on Land Use
23 Numbers 250, 251 and 252, the Saint Michaels Park
24 elimination cemetery land acquisition applications
25 for property at 72-02 Astoria Boulevard in Council

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 Member Constantinides' district in Queens. In these
3 applications the New York City Department of Parks
4 and Recreation is the applicant for an amendment to
5 the city map to de-map a portion of Saint Michael's
6 Park. Parks are also the applicant for a zoning map
7 change to apply a zoning district designation to the
8 de-mapped property. Saint Michael's Cemetery is the
9 applicant for the council's approval pursuant to the
10 New York State Not for Profit Corporation Law to
11 acquire this land for cemetery purposes. These
12 actions would facilitate the expansion of an existing
13 cemetery. I now open the public hearing on these
14 applications and I'm going to call Dennis Warner from
15 Saint Michael's Cemetery and Jose Lopez from the
16 Department of Parks and Recreation and I want to turn
17 it over to Council Member Constantinides for remarks.

18 COUNCIL MEMBER CONSTANTINIDES: Thank you
19 Chair Levin and thank you for stepping in today.
20 Saint Michael's Cemetery is a long-standing
21 institution in my council district. It was first
22 established in 1852 and is one of the oldest
23 nonprofit cemeteries in New York City. Saint
24 Michael's is a place that is sacred and special to
25 many of my constituents and residents throughout

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 Queens. Today's application concerns the disposition
3 of 3.24 acres of a parcel of land owned by the city
4 of New York Department of Parks and Recreation that
5 is essentially unused... unusable to the public because
6 of its location and shape. The parcel is irregularly
7 shaped, it is extremely long and narrow, and runs
8 along the edge of both the Brooklyn Queens Expressway
9 and Saint Michael's private property. There is
10 limited if any pedestrian access to this land because
11 its location is directly adjacent to the BQE, you'd
12 have to pull over on the shoulder of the BQE in order
13 to get to use it, it is not parkland, it actually
14 costs us money to maintain it. There... of... the
15 irregular shape makes the land unable to be used for
16 any type of recreational park use, for these reasons
17 it is completely underutilized and acts as a dumping
18 ground for folks who want to get rid of a couch or a
19 T.V. and very often the city of New York is stuck
20 having to flip the bill to clean that up. Today's
21 application calls for the disposition of this
22 unusable land so that it can be acquired by Saint
23 Michael's Cemetery and in due time be put into good
24 use. With this land Saint Michael's will, be able to
25 expand its usable cemetery area which is a need that

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 is absolutely necessary within a big city but
3 something we rarely talk about. At the same time the
4 proceeds of this sale will go a long way towards
5 renovating playgrounds in my council district and I
6 look forward, which... and some of these parks have not
7 been renovated in more than 15 years so I look
8 forward to taking the proceeds and working with the
9 Parks Department and the community board for the
10 appropriate park to receive the funding from this
11 sale that will make sure that the next... the next 25
12 years a park will be better off for this application.
13 Very... you know this application offers the
14 opportunity to dispose of land that has no useful
15 purpose to the city of New York while simultaneously
16 creating new revenues for desperately needed
17 renovations to our playgrounds. This is a small
18 example of how government and the private sector can
19 work together towards creative solutions that benefit
20 the public in more than one way. I strongly this
21 application and I look forward to finally allocating
22 much needed capital improvements to playgrounds in
23 our district that are in dire needs of upgrades and
24 refurbishment while Saint Michael's gets the land
25 that they need. Thank you.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 CHAIRPERSON LEVIN: Thank you very much
3 Council Member Constantinides and I'll now ask the
4 Council Committee to swear you in.

5 COMMITTEE COUNCIL LUBIN: Before
6 responding please make sure your mic has a red light
7 showing and state your name. Do you each swear or
8 affirm that the testimony you're about to give will
9 be the truth, the whole truth and nothing but the
10 truth and that you'll answer all questions
11 truthfully?

12 CHAIRPERSON LEVIN: Make sure that the
13 red light is on please.

14 JOSE LOPEZ: Sorry about that, my name is
15 Jose Lopez, I'm from the Parks Department and yes, I
16 do.

17 DENNIS WARNER: My name is Dennis Warner,
18 I'm the General Manager of Saint Michael's Cemetery
19 and yes, I do.

20 CHAIRPERSON LEVIN: Okay, you may proceed
21 you're your presentation.

22 JOSE LOPEZ: As I mentioned my name is
23 Jose Lopez, I'm the Deputy Director of Parklands
24 which is essentially the real estate division for the
25 Department of Parks and Recreation and I want to say

SUBCOMMITTEE ON ZONING AND FRANCHISES

1
2 good morning to Chair Levin and Council Members.
3 Today I'm here... today I'm here to present to you an
4 application by the Department of Parks and Recreation
5 for a zoning... for a... for a... an amendment to the city
6 map and also an amendment to, to the zoning map in
7 order to facilitate the disposition of a park parcel
8 to Saint Michael's Cemetery in order for Saint
9 Michael's Cemetery to expand their cemetery
10 functions. The parcel is located as you can note here
11 is located in the Astoria East Elmhurst neighborhoods
12 of Queens. The parcel is bound by Astoria service
13 road to the north and 30th Avenue to the south, to
14 the west is bound by Saint Michael's Cemetery and to
15 the east is bordered by the BQE. The zoning
16 surrounding the, the, the parcel is predominately
17 residential in nature. However, you do have a
18 manufacturing district that is M1-1 that is located
19 west of the project site and to the east of the
20 project site, northeast there is M1 manufacturing
21 district that has the big box retail stores such as
22 the Home Depot, Bed, Bath and Beyond and the Bulova
23 Corporate Center. The zoning map amendment that we
24 are seeking will establish an R4 zoning district to
25 the parcel. As you may know zoning designation do not

SUBCOMMITTEE ON ZONING AND FRANCHISES

1
2 apply to, to parkland. The parcel was acquired by the
3 Parks Department on April 4th, 1941 for park purposes
4 however the parcel has never been improved a program
5 for open space purposes and currently the parcel is
6 landscaped, and it has some trees on it but is not
7 currently open and used by the public. Under chapter
8 399 of 2015 and Assembly approved the legislation
9 authorizing the city to dispose of the parcel... of the
10 park parcel and specifically to Saint Michael's
11 Cemetery in order to expand their cemetery functions.
12 The legislation requires that the city obtain as part
13 of the disposition replacement parkland or capital
14 improvements equal or greater than the fair market
15 value of the parcel. The legislation also states that
16 those improvements to be made to parks in Queens
17 however as part of the public review process in
18 consultation with the community board and the local
19 council member they have requested that those parcels
20 be used to make park improvements in their respected
21 district. The Parks Department is committed to
22 working with the local Council Member and the
23 Community Board to identify a solo site to undertake
24 those capital improvements. Saint Michael's Cemetery
25 was founded in 1852, it is one of the most long-

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 standing cemetery in New York which is a religious
3 not for profit cemetery that is open to, to all
4 faiths. This concludes my remarks and I'm here to
5 take any questions or comments.

6 CHAIRPERSON LEVIN: Council Member
7 Constantinides?

8 COUNCIL MEMBER CONSTANTINIDES: Yes, I, I
9 heard you loud and clear, I, I... you know we... I look
10 forward in working in consultation with the Parks to
11 find the appropriate parcel for these dollars to be
12 used because I know there are several playgrounds in
13 our council district that are not too far away and
14 we've, we've talked about a few already that could
15 definitely use these funds for renovation and it be a
16 win, win for our community.

17 JOSE LOPEZ: Agree.

18 COUNCIL MEMBER CONSTANTINIDES: Great so,
19 I, I have your commitment on the record again that
20 this... they're going to be used only in our council
21 district in consultation with the community board
22 and, and the council member whoever that is when this
23 is all wrapped up, correct?

24 JOSE LOPEZ: Yes, sir.
25

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 COUNCIL MEMBER CONSTANTINIDES:

3 Fantastic. Thank you Chair.

4 CHAIRPERSON LEVIN: Thank you Council

5 Member and I appreciate you coming over from chairing

6 Environmental Protection and I know you have to get

7 back to that, so I will... I will leave it at that and

8 I want to thank this panel, I don't have any

9 questions... or further questions but I do appreciate

10 your time and I appreciate the presentation and all

11 the hard work that went into this and, and with that

12 I will... are there any other members of the public who

13 wish to testify on this item? Okay, seeing no... none I

14 now close the public hearing on this application and

15 it will be laid over. Thank you, Council Member.

16 JOSE LOPEZ: Thank you.

17 [off mic dialogue]

18 CHAIRPERSON LEVIN: Okay, our last

19 hearing will be on Land Use 254, the 2nd Amendment to

20 the Coney Island Special process agreement for

21 property in Council Member Mark Treyger's district in

22 Brooklyn. This application submitted by the New York

23 City Economic Development Corporation is to amend an

24 agreement signed in 2009 establishing a process for a

25 development of the Coney Island Amusement Area. This

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 amendment is regarding the addition of properties
3 located adjacent to the Boardwalk between West 16th
4 and West 15th Streets and on the former street ends
5 of West 15th Street, Stillwell Avenue and West 12th
6 Street which are either de-mapped street ends or were
7 required by the city to eminent domain. This property
8 will eventually be mapped as parkland. And I will
9 open of the public hearing on this process, we'll be
10 hearing from Will Fisher from New York City EDC and
11 Alessandro Zamperla form Central Amusement
12 International LLC and I will ask our Counsel of the
13 Committee Julie Lubin to swear you in.

14 COMMITTEE COUNCIL LUBIN: Before
15 responding please make sure the red light is on, on
16 your microphone and state your name before you
17 answer. Do you each swear or affirm that the
18 testimony that you're about to give will be the
19 truth, the whole truth and nothing but the truth and
20 that you will answer all questions truthfully?

21 WILL FISHER: My name is Will Fisher, I
22 do.

23 ALESSANDRO ZAMPERLA: My name is
24 Alessandro Zemperla and I do.

25 CHAIRPERSON LEVIN: Okay, you may begin.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 WILL FISHER: Great, good morning Mr.

3 Chair and members of the Subcommittee on Zoning and

4 Franchises. My name is Will Fisher, I am a Senior

5 Project Manager of Government and Community Relations

6 at the New York City Economic Development

7 Corporation, EDC. I am joined here on the panel by

8 Alessandro Zamperla from Central Amusement

9 International. We are pleased to be presenting before

10 the Subcommittee on exciting new additions to Coney

11 Island's historic amusement district and look forward

12 to answering any questions you might have about the

13 project. The 2009 Coney Island rezoning set the stage

14 for much of the redevelopment that has taken place in

15 the neighborhood today. There has been an additional

16 180-million-dollar commitment towards infrastructure

17 and capital investment from Mayor De Blasio's Housing

18 New York Plan allocated in 2014. This includes

19 funding for thousands of units of affordable and

20 mixed income housing, new retail options, and new

21 office space for city facilities such as HRA and

22 Health and Hospitals. I would like to thank Council

23 Member Mark Treyger for his continued support of

24 these efforts and his continued advocacy for Coney

25 Island in general. This new development provides

SUBCOMMITTEE ON ZONING AND FRANCHISES

1
2 economic opportunity for Coney Islanders. New York
3 City Economic Development Corporation is proud to
4 support these efforts by hosting an annual hiring
5 fair in partnership with the Alliance for Coney
6 Island and other local organizations, these fairs
7 have screened nearly 1,000 candidates for seasonal
8 jobs this season alone. In addition to promoting
9 mixed use development, the 2009 rezoning called for a
10 significant city investment in the historic amusement
11 district to reactivate vacant parcels with infill
12 development. This was designed to support beloved
13 attractions like the cyclone rollercoaster and Deno's
14 Wonder Wheel. We here today alongside our partners
15 from the New York City Department of Parks and
16 Recreation to present plans that compliment these
17 investments. We are planning to activate a currently
18 vacant parcel that sits between the Thunderbolt
19 Rollercoaster and MCU Ballpark as well as de-mapped
20 street ends of former West 12th Street, West 15th
21 Street, and Stillwell Avenue that are being converted
22 for entertainment use. In February of 2017, EDC
23 released an RFP for development of the aforementioned
24 parcels. In August of 2006... excuse me, August 2018,
25 we selected Central Amusement International as our

SUBCOMMITTEE ON ZONING AND FRANCHISES

1
2 preferred respondent. In addition to its compelling
3 proposal for this specific RFP, CAI has made
4 significant investments in the revitalization of
5 Coney Island's amusement district, including Luna
6 Park, the Scream Zone, and the new Thunderbolt
7 Rollercoaster. CAI's current proposal includes a new
8 log flume, ropes course and other entertainment
9 attractions that will further cement Coney Island as
10 the people's playground. This project would be
11 developed and constructed in two phases, with one
12 opening in 2019 and one opening in 2020. The lease
13 term would run through the end of 2027 and would
14 activate approximately 150,000 square feet of city
15 owned land. The item before you today is an amendment
16 to what is referred to as a special process
17 agreement. This agreement was created as part of the
18 rezoning in 2009 and gives city council the
19 opportunity to review and approve new leases on
20 certain city owned parcels within the amusement
21 district. This item before you today is the second
22 amendment of its type, the first amendment approved
23 by council in 2013 facilitated the construction of
24 the new Thunderbolt Rollercoaster and, and was also
25 developed by CAI. This amendment will permit the city

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 to lease these additional parcels to EDC, which will
3 in turn sublease these properties to CAI. This
4 project represents a significant addition to the
5 amusement district, which has seen an incredible
6 resurgence over the past decade. We respectfully
7 request your consideration and approval of the second
8 amendment to the special process agreement and would
9 be glad to answer any questions you may have. I will
10 now turn over the floor to Alessandro Zamperla from
11 CAI to describe his company's history in Coney Island
12 and more information on their proposed project.

13 ALESSANDRO ZAMPERLA: Thank you Will,
14 thank you Chairman, thank you for your time and the
15 opportunity. My name is Alessandro Zamperla and I
16 represent Central Amusement International LLC. In
17 coordination with EDC and the Parks Department, CAI
18 is proud to be working to develop and operate
19 additional amusement rides and attractions in the
20 Coney Island amusement district. Since 2010, CAI has
21 been working with its partners at the city to fulfill
22 the vision of returning Coney Island to its glory
23 days of being the amusement capital of the world. Our
24 initial attractions include a number of
25 rollercoasters, thrill rides, go carts and food

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 service and we have expanded through agreements with
3 the Parks Department to operate the Cyclone
4 Rollercoaster, B and B Carousel and lighting feature
5 on the iconic Parachute Jump Tower. CAI has surpassed
6 its goals in Coney Island and has helped restore
7 Coney Island as one of the country's premier
8 amusement park destinations. With nine years of
9 experience working in Coney Island, CAI has
10 demonstrated great care for the neighborhood context,
11 not only by recreating an affordable amusement for
12 all ages, but also by strengthening their
13 relationship with the community surrounding the
14 sites. A key goal of CAI is to hire locally to create
15 economic opportunities and build a strong
16 relationship with the surrounding neighborhood. We
17 will continue to work the city of New York and local
18 organizations to provide a local hiring program for
19 these additional properties and to expand and
20 strengthen our relationships with local officials,
21 schools and community organizations. Finally, CAI is
22 one of the key stakeholders in the Alliance for Coney
23 Island, an organization that has brought Coney Island
24 back to the level of its heyday. In regard to the
25 project before you today, I would like to briefly

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 describe the exciting proposal that we have made for
3 the available properties. A map of the following
4 sites is available in the presentation that you have
5 before you. On site B, CAI is bringing back the
6 nostalgia from Paul Boyton's Shoot the Chute that
7 originally opened in 1895 in premiering a new unique
8 Flume Ride concept. The ride will operate with 12
9 flume boats that can seat up to six guests at a time
10 yielding to an hourly capacity of 700... 780 people.
11 The track will peak at 40 feet high and will give
12 guests a thrill with speeds of over 30 miles per hour
13 before the big splash. The ride, in combination with
14 the station house and decorative lighting, will be an
15 excellent activation on the vacant lot. For site C,
16 CAI's vision is an adventure park for those looking
17 to tap into their inner daredevil which will feature
18 a rope course and zip lines. Site C's location
19 between the Thunderbolt Rollercoaster and Coney
20 Island Raceway lends itself to the thrill seeking and
21 that is what CAI intends to create. Guests can choose
22 from four different routes based on their age and
23 courage. Site D will become an enticing entrance to
24 the wonderful world of Luna Park, providing guests
25 services, an information point and ticketing

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 location. CAI will expand on the success of the
3 boardwalk restaurants by creating an open concept
4 food and entertainment area. The vision is to create
5 two modern style container food locations with common
6 seating areas for groups of patrons to experience an
7 array of cuisines. Site E has tremendous value in a
8 potential pedestrian, public access area. The area
9 nearest the Boardwalk will have open air seating for
10 those wishing to have a bite to eat with two food
11 locations or just to get off their feet. The rest of
12 this site will be landscaped with a variety of
13 planters and vegetation to create a pleasant
14 pedestrian access point to the rest of the
15 entertainment district and the Boardwalk. Again,
16 thank you for your consideration of the item before
17 you and we would be glad to answer any questions you
18 may have.

19 CHAIRPERSON LEVIN: Thank you very much.

20 So, I think we're going to lay this over and allow
21 for Council Member Treyger to engage with the, the
22 applicant and go further on this. Just actually I do
23 have one quick question so, is there a sliding scale
24 at all in terms of the cost of the amusement parks
25

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 and is that something that's considered under these
3 amendments?

4 WILL FISHER: Yeah, so I'll just... [cross-
5 talk]

6 CHAIRPERSON LEVIN: Cost to the public
7 obviously.

8 WILL FISHER: I'm sorry?

9 CHAIRPERSON LEVIN: Costs to the public
10 obviously because it's, it's, it's... you know it's not
11 inexpensive to, to go to, to the amusement park.

12 WILL FISHER: Of course, I'll, I'll just
13 say to begin that, you know given that these are
14 public parcels we do take affordability to the
15 surrounding community very seriously but in regard to
16 the actual cost I'll... I can defer to Alessandro.

17 ALESSANDRO ZAMPERLA: It's really an
18 expansion to the existing Luna Park so probably
19 integrating to the, the pricing structure we already
20 have in place.

21 CHAIRPERSON LEVIN: Okay and that... is
22 that... is that a... is that a topic that's discussed or
23 brought up by the local community when going through
24 this process, when you go through the community board
25

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 is that something that's come up or with the Borough
3 President or... you know so on and so forth?

4 WILL FISHER: Yeah, so in regard to the
5 actual price in terms of kind of... Alessandro would
6 you be able to describe kind of the, the day
7 structure pass and all that?

8 ALESSANDRO ZAMPERLA: Sure, Luna Park has
9 two ways of enjoying the park, one is pay per ride so
10 that means you know you pay credits to access the
11 individual rides and usually for a ride of the
12 mentioned flume log would be seven, seven credits to
13 access the, the flume ride whereas if you want to
14 enjoy the full day and stay much longer what... no... we
15 definitely encourage that and these pedestrian
16 walkers will definitely all attend to that, we have a
17 wristband that grants you, you know all day access to
18 all the rides and that's where we want to include all
19 this additional attractions as well.

20 CHAIRPERSON LEVIN: And that's... and, and...
21 but there's no sliding scale, another words if, you
22 know lower income participants are not able to access
23 at... as a lower fee?

24 WILL FISHER: That's correct, there's no
25 sliding scale.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

2 CHAIRPERSON LEVIN: Okay, are there any
3 members of the public that wish to testify on this
4 item? Okay, seeing none I will... I will close this
5 public... the public hearing on this application and
6 it'll be laid over. Thank you very much for your
7 time.

8 WILL FISHER: Thank you.

9 CHAIRPERSON LEVIN: We're going to keep
10 the vote open for ten more minutes in case any
11 council... committee members are going to arrive to
12 vote on the items. Thank you.

13 COMMITTEE COUNCIL LUBIN: Continued vote
14 on the Land Use Items on today's calendar for a vote,
15 Council Member Torres?

16 COUNCIL MEMBER TORRES: I vote aye, thank
17 you.

18 COMMITTEE COUNCIL LUBIN: The vote stands
19 at eight in the affirmative, no negative and no
20 abstentions and they are referred to the full Land
21 Use Committee.

22 CHAIRPERSON LEVIN: This meeting is
23 hereby adjourned.

24 [gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date

November 9, 2018